

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RITA COLLINS, proxy for Edmond R. and )	8:12CV303
Kathleen M. Jesse, EDMOND R. JESSE, )	
Rita Collins proxy for Edmond R. and )	
Kathleen M. Jesse, and KATHLEEN M. )	
JESSE, Rita Collins proxy for Edmond R. )	
and Kathleen M. Jesse, )	
)	
Plaintiffs, )	<b>MEMORANDUM</b>
)	<b>AND ORDER</b>
v. )	
)	
TERRY ROBBINS, (principal), et al., )	
)	
Defendants. )	
)	

This matter is before the court on its own motion. On September 7, 2012, the court entered a Memorandum and Order provisionally filing this matter but requiring Plaintiffs to either file a motion for leave to proceed in forma pauperis or pay the \$350.00 filing fee no later than October 5, 2012. (Filing No. [4](#).) The court warned Plaintiffs that failure to comply with its Memorandum and Order would result in dismissal of this matter without further notice. ([Id.](#)) None of the Plaintiffs have paid the \$350.00 filing fee or submitted a motion for leave to proceed in forma pauperis.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice for failure to pay the court's filing fee and for failure to comply with a court order.

2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 10<sup>th</sup> day of October, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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